

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANTONIO S. VALLE,	:	CIVIL ACTION
Petitioner,	:	
	:	
v.	:	
	:	
COMMONWEALTH OF PENNSYLVANIA,	:	NO. 14-6590
NORTHAMPTON COUNTY	:	
Respondents.	:	

**ORDER**

AND NOW, this 14<sup>th</sup> day of April, 2016, upon careful and independent consideration of the petition for a writ of habeas corpus and Petitioner's other submissions, available state court records, and after review of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, it is **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The petition for a writ of habeas corpus challenging the prosecution and conviction in Case No. CP-48-CR-3985-2010 (Northampton County) is **DISMISSED WITH PREJUDICE**;
3. A certificate of appealability **SHALL NOT** issue, in that the Petitioner has not made a substantial showing of the denial of a constitutional right nor demonstrated that the correctness of this ruling is debatable. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000);
4. The Clerk of the Court shall mark this case **CLOSED** for statistical purposes; and
5. The Clerk of the Court shall **OPEN** a new civil action for Petitioner's challenge to his conviction in No. CP-46-CR-8372-2010 (Montgomery County) and shall docket Doc. No. 11 from Civ. A. No. 14-6590 as a filing in that new action.

BY THE COURT:

  
C. DARNELL JONES, II, J.